

MONDAY, APRIL 22, 1991

THIRTY-EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Bishop James Niedergeses, The Roman Catholic Diocese, Nashville, Tennessee.

Representative Arriola led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Haun; due to illness.

CONSENT CALENDAR

House Bill No. 1483 -- Courts, General Sessions -- Adds courts of general session in Perry County to those authorized to assess a fine not exceeding \$50.00 and imprisonment not exceeding 10 days for contempt. Amends TCA 16-15-713.

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**\*House Bill No. 1175** -- Highways, Roads and Bridges -- Expands portion of State Highway 100 designated as scenic highway. Amends TCA 54-17-114.

**House Bill No. 1373** -- Courts -- Clarifies that fees for process servers can be awarded as part of judgment. Amends TCA 8-8-108.

**\*House Bill No. 0427** -- Election Laws -- Deletes specific maximum size limitations for precincts in certain counties. Amends TCA 2-3-103.

On motion, House Bill No. 427 was made to conform with Senate Bill No. 1034.

On motion, **Senate Bill No. 1034**, on same subject, was substituted for House Bill No. 427.

**\*House Bill No. 1436** -- Criminal Procedure -- Clarifies application procedures for extradition of escapees, bail jumpers and parole violators. Amends TCA 40-9-124.

On motion, House Bill No. 1436 was made to conform with Senate Bill No. 439.

On motion, **Senate Bill No. 439**, on same subject, was substituted for House Bill No. 1436.

**House Bill No. 0902** -- District Attorneys -- Provides staffing option for district attorney general in 25th judicial district. Amends TCA 16-2-506.

**\*House Joint Resolution No. 0185** -- Highway Signs -- Senior Master Sgt. James B. May II Memorial Bridge.

**\*House Joint Resolution No. 0103** -- Highway Signs -- Veterans Memorial Bridge, Anderson County.

**\*Senate Joint Resolution No. 0154** -- Naming and Designating -- "Police Memorial Week," May 12-18, 1991.

**House Resolution No. 0059** -- Memorials, Sports -- Glenn Williams.

**House Resolution No. 0060** -- Memorials, Personal Occasion -- Joseph and Darlene Stockton, forty-third anniversary.

**House Resolution No. 0061** -- Memorials, Personal Occasion -- Rock Barnes, 90th birthday.

**House Resolution No. 0062** -- Memorials, Personal Achievement -- Jeannie Smith, 1990 Tennessee Miss T.E.E.N.

**House Resolution No. 0063** -- Memorials, Personal Occasion -- Lee and Ina Heidel, 50th Anniversary.

**House Resolution No. 0064** -- Memorials, Professional and

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Business Achievement -- Judge Chester C. Coker, Campbell County Rotary Club, "Man of the Year".

**House Bill No. 1582** -- Lake County -- Revises manner county road superintendent appointed. Amends Chapter 262, Private Acts of 1980, as amended.

**House Bill No. 1583** -- Bristol -- Revises charter. Amends Chapter 179, Private Acts of 1986, as amended.

**Senate Joint Resolution No. 205** -- Memorials, Professional and Business Achievement -- Michael A. Fitts.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on the Consent Calendar and have this statement entered in the Journal.

Rep. Robb Robinson

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**REQUEST TO CHANGE VOTE**

**MR. SPEAKER:** Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on the Consent Calendar and have this statement entered in the Journal.

Rep. Pete Phillips

**REQUEST TO CHANGE VOTE**

**MR. SPEAKER:** Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on the Consent Calendar and have this statement entered in the Journal.

Rep. Jere Hargrove

**REGULAR CALENDAR**

**\*House Bill No. 0210** -- Real Property -- Establishes method for proving chain of title in certain circumstances. Amends TCA, Title 29, Ch. 15, Pt. 1.

Further consideration of House Bill No. 210, previously considered on March 22 and April 8, 1991, at which time it was reset to the Calendar for April 22, 1991.

Rep. Davis (Knox) moved that House Bill No. 210 be reset to the Calendar for Monday, April 29, 1991, which motion prevailed.

**House Bill No. 1066** -- Cooperatives -- Requires certain information be included in articles of incorporation for cooperative marketing associations. Amends TCA, Title 43, Ch. 16.

On motion, House Bill No. 1066 was made to conform with Senate Bill No. 462.

On motion, **Senate Bill No. 462**, on same subject, was substituted for House Bill No. 1066.

Rep. Chumney moved that **Senate Bill No. 462** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt,

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Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 462 and have this statement entered in the Journal.

Rep. Brenda Turner

**REGULAR CALENDAR, CONTINUED**

\*House Bill No. 0935 -- Public Officials -- Provides procedure for removal of certain government officials. Amends TCA, Title 8, Ch. 47.

Rep. Buck moved that House Bill No. 935 be reset to the Calendar for Wednesday, April 24, 1991, which motion prevailed.

\*House Bill No. 0181 -- District Attorneys -- Creates additional criminal investigator position for 8th judicial district. Amends TCA 16-2-506.

Rep. Windle moved that House Bill No. 181 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 181 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the General Appropriations Act. The Tennessee Code Commission is directed not to codify this section of this bill.

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On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Windle moved that **House Bill No. 181**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tulos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 0182** -- Appropriations -- Appropriates funds for York Institute.

Rep. Windle moved that House Bill No. 182 be reset to the Calendar for Monday, April 29, 1991, which motion prevailed.

**House Bill No. 0461** -- Criminal Offenses -- Creates criminal offense of aggravated prostitution. Amends TCA, Title 39, Ch. 13.

Rep. Joyce moved that House Bill No. 461 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson),

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Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 0554** -- Motor Vehicles, Titling and Registration -- Provides for staggered registration and renewal dates for handicapped plates. Amends TCA, Title 55, Chs. 4, 21.

On motion, House Bill No. 554 was made to conform with Senate Bill No. 515.

On motion, **Senate Bill No. 515**, on same subject, was substituted for House Bill No. 554.

Rep. Halteman moved that **Senate Bill No. 515** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**House Bill No. 1372** -- Firearms and Ammunition -- Establishes criteria to demonstrate good moral character to carry handgun; standardizes application form for handgun permit. Amends TCA 39-17-1315.

Rep. Kent moved that House Bill No. 1372 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1372 by deleting the language of the bill following the enacting clause in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1315, is amended by deleting the existing language of said section in its entirety and substituting instead the following:

39-17-1315. Written directive and permit to carry handguns.

(a) Any law enforcement officer, policeman, deputy sheriff, director, commissioner or retired law enforcement officer who is bonded and who, at the time of receiving a written directive, has successfully completed and continues to successfully complete on an annual basis a firearm training program of at least eight (8) hours duration, full-time employee of the Tennessee emergency management agency during the performance of the employee's duty, or other officers or persons authorized to carry handguns by this, or any other law of this state, may carry such handguns at all times pursuant to a written directive by the executive supervisor of the organization to which the person is or was attached or employed, regardless of the person's regular duty hours or assignments; however, a copy of the written directive shall be retained as a portion of the records of the particular law enforcement agency which shall issue the directive. Nothing herein shall prevent federal officers from carrying firearms as prescribed by federal law.

(b)(1) In addition to the above individuals authorized to carry handguns by this or any other law of this state, a person wishing to carry a handgun, who demonstrates, in writing, to the satisfaction of the sheriff, the circumstances which justify the need to carry a handgun, shall apply to the sheriff of the county in which the person legally resides for a handgun permit. Permits issued authorize the person to carry the firearm in the county in which it was issued for the purpose expressed on the handgun permit. The permit may be endorsed by the sheriff outside the county of residence of the permit holder, and upon presentation of a copy of the written directive from the issuing sheriff and payment of applicable fees, the handgun permit will be valid in the additional county or counties. The sheriff may issue such a permit and a written directive to persons not prohibited from purchasing firearms authorizing the person to carry a handgun, provided, that the person meets all the requirements of this section and



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demonstrates good moral character. An applicant satisfactorily demonstrates good character if he:

- (A) is 18 years of age or older;
- (B) has not been convicted of a felony;
- (C) has not been convicted of any crime involving violence;
- (D) has not been convicted of any offense involving the use of alcohol;
- (E) has not been convicted of any offense involving the unlawful use of narcotics or other controlled substances;
- (F) has not been adjudicated by any court of any state or of the United States as mentally incompetent, unless the adjudication has been withdrawn or reversed;
- (G) has not been convicted of any offense involving the use of force or infliction of injury upon a family member;
- (H) has not been discharged from any branch of the United States military under other than honorable conditions;
- (I) has not been convicted of any offense while a juvenile that would prevent issuance of a handgun permit if the person had been an adult;
- (J) is not now, nor has ever been a fugitive from justice;
- (K) has never been a drug abuser, drug addict, or a drug dependent person;
- (L) is a current resident of the state of Tennessee;
- (M) has never had a permit revoked.

A copy of the written directive shall be retained as a portion of the records of the particular sheriff who shall issue the directive.

(2) Prior to the issuance of the written directive and handgun permit, the sheriff shall conduct a background investigation of the person and shall issue the directive and permit only if satisfied with the results of the investigation, and may charge a reasonable fee for the investigation and other costs

incurred under these provisions. The funds received by the sheriff pursuant to this part shall be dedicated exclusively for use by the sheriff in the continuation and maintenance of the procedures required by this part. The sheriff shall also require prior to the issuance of the directive and handgun permit, that the person successfully complete a suitable training period in the use of firearms in a training program conducted by a Peace Officer Standards and Training Commission-approved firearms instructor, which training shall include performance tests on a firing range, indicating the person to be qualified in the use of firearms and the directive shall indicate that the person is properly qualified in the use of firearms and knowledgeable as to safety precautions. The sheriff shall charge to the person to whom the directive and permit is issued a fee in such amount as will pay the expenses involved in the training of the person in the use of firearms, if the training is conducted by or at the expense of the county. The sheriff may allow the training to be conducted by others, with the results being certified in writing to the satisfaction of the sheriff.

(3) The sheriff issuing the written directive authorizing a person to carry a handgun under this section may further require compliance with rules and regulations set by the sheriff regarding uniforms to be worn by the party carrying the handgun as a prerequisite to issuing the written directive, and may revoke the written directive and permit at such time as the sheriff finds that any of the rules and regulations under this section have been violated, or for any reason in the judgment of the sheriff which indicates the person's disqualification to carry a handgun. In any event, the directive and permit issued shall expire two (2) years from the date of issue subject to reissue upon compliance of all prerequisites. In any county having a metropolitan form of government, the chief of police being the chief law enforcement officer shall have the authority to issue permits to carry a handgun; notwithstanding this provision, the sheriff of a metropolitan county shall issue a permit to carry a handgun only to paid employees of the sheriff's department who are charged with certain responsibilities and to no other persons.

(4) The permit holder shall be required to have in effect a liability policy in the amount of not less than fifty thousand dollars (\$50,000) evidenced by a certificate of insurance. The insurance required must be for the specific purpose of carrying a firearm and must so state on the face of the policy. This requirement does not preclude insurance which by its nature provides coverage for this purpose as well as

other general liability purposes.

(5) The permit holder shall have the permit in his immediate possession at all times when carrying a handgun and shall display the permit on demand of a law enforcement officer. The holder of any permit shall, within thirty (30) days, notify the sheriff in writing, of any change in the address of the legal residence of the permit holder. Failure to make the required notification will result in mandatory revocation of the permit.

(6) Compliance with the requirements of this subsection shall provide the issuing sheriff with immunity from civil liability in any action alleging liability for issuance of the directive or permit. In issuing a permit the sheriff is not vicariously liable for damages caused by the permit holder.

(c) A violation of this section is a Class C misdemeanor. Any individual who intentionally or knowingly makes any false statements in the procedures required to obtain the permit is guilty of a Class A misdemeanor.

(d) The Tennessee Sheriffs' Association is directed to promulgate a standardized application form and handgun permit form to be utilized under this section. The application shall contain, but not be limited to the following:

- (1) three (3) letters of character reference;
- (2) two (2) recent photographs;
- (3) two (2) complete sets of inked fingerprint impressions;
- (4) a residential history for a five (5) year period;
- (5) an employment history for a five (5) year period;
- (6) a completed notarized application form;
- (7) full name;
- (8) complete current legal address;
- (9) date and place of birth;
- (10) Social Security number;
- (11) Tennessee driver license number; and

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(12) height, weight, color of eyes, color of hair;

Further, the Tennessee Sheriff's Association shall set a maximum allowable fee for obtaining the handgun permit.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 to Amendment No. 1 as follows:

**Amendment No. 1 to Amendment No. 1**

Amend House Bill No. 1372 by deleting Section 39-17-1315 (b)(4) of the amendatory language of SECTION 1 of House Judiciary Committee Amendment 1 in its entirety and substituting instead the following:

(4) The permit holder shall be required to have in effect a general liability policy or corporate surety bond in an amount of not less than fifty thousand dollars (\$50,000). Such insurance policy or bond must state that it is for the specific purpose of carrying a handgun and is for the benefit of the people of the state of Tennessee.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 to Amendment No. 1 as follows:

**Amendment No. 2 to Amendment No. 1**

Amend House Bill No. 1372 by deleting from Section 1(b), as amended by House Judiciary Committee Amendment 1, subdivision (6) in its entirety and by substituting instead the following:

(6) Compliance with the requirements of this subsection shall provide the issuing sheriff with immunity from civil liability in any action alleging liability for issuance of the directive or permit unless the sheriff knew that the person requesting the permit was threatening violence or was mentally ill.

On motion, Amendment No. 2 to Amendment No. 1 was adopted.

Rep. Herron moved the previous question, which motion prevailed.

Thereupon, Rep. Buck moved that Amendment No. 1 as amended, be adopted, which motion prevailed.

Rep. Clark moved the previous question, which motion prevailed.

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Thereupon, Rep. Kent moved that **House Bill No. 1372**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	80
Noes. . . . .	11
Present and not voting. . . . .	6

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hargrove, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, Meyer, Moore, Napier, Nuber, Odom, Peroulas Draper, Pinion, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Wix, Wood, Mr. Speaker Naifeh -- 80.

Representatives voting no were: Arriola, Callicott, Givens, Harrill, Jones R (Shelby), McKee, Niceley, Phillips, Pruitt, Rigsby, Robinson (Washington) -- 11.

Representatives present and not voting were: Ferguson, Jones U (Shelby), McAfee, Williams (Union), Windle, Winningham -- 6.

A motion to reconsider was tabled.

**House Bill No. 1404** -- State Employees -- Prevents agency of state government from sanctioning certain employees.

On motion, House Bill No. 1404 was made to conform with Senate Bill No. 27.

On motion, **Senate Bill No. 27**, on same subject, was substituted for House Bill No. 1404.

Rep. Davis (Knox) moved that **Senate Bill No. 27** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber,

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Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 1441** -- Sewage -- Authorizes water service provider to require landowner to maintain property sewage line connection. Amends TCA 7-35-201, 68-13-209.

On motion, House Bill No. 1441 was made to conform with Senate Bill No. 1474.

On motion, **Senate Bill No. 1474**, on same subject, was substituted for House Bill No. 1441.

Rep. Davis (Knox) moved that **Senate Bill No. 1474** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**House Bill No. 1409** -- Taxes, Amusement -- Authorizes imposition of local amusement tax in Knoxville and Knox County. Repeals Chapter 776, Private Acts of 1947.

Further consideration of House Bill No. 1409, previously considered on March 6, 1991, at which time it was reset to the calendar for April 22, 1991.

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Rep. Davis (Knox) moved that House Bill No. 1409 be reset to the Calendar for Wednesday, April 24, 1991, which motion prevailed.

**House Bill No. 1222 -- Medical Occupations --** Revises physical therapy provisions of Occupational and Physical Therapy Practice Act. Amends TCA, Title 63, Ch. 13, Pts. 1, 3.

On motion, House Bill No. 1222 was made to conform with Senate Bill No. 602.

On motion, **Senate Bill No. 602**, on same subject, was substituted for House Bill No. 1222.

Rep. Turner (Hamilton) moved that **Senate Bill No. 602** be passed on third and final consideration.

On motion, Rep. Dixon withdrew Health and Human Resources Committee Amendment No. 1.

Rep. Turner (Hamilton) moved that **Senate Bill No. 602** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Wailey, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0046 -- General Assembly, Studies --** Creates joint committee to study reducing certain AFDC benefits for unexcused absences from school in certain circumstances.

Rep. U. Jones moved that House Joint Resolution No. 46 be reset to the Calendar for Wednesday, April 24, 1991, which motion prevailed.

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**\*House Joint Resolution No. 0047** -- General Assembly, Studies -- Creates joint committee to study salaries of emergency medical technicians and EMT paramedics.

Rep. U. Jones moved that House Joint Resolution No. 47 be adopted, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives present and not voting were: Tullos -- 1.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0085** -- General Assembly, Studies -- Creates joint study committee relative to subsurface sewage disposal systems.

Rep. Callicott moved that House Joint Resolution No. 85 be adopted, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union),



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Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Bell -- 1.

A motion to reconsider was tabled.

**House Bill No. 1574 -- South Fulton -- Enacts hotel/motel tax.**

On motion, House Bill No. 1574 was made to conform with Senate Bill No. 1569.

On motion, **Senate Bill No. 1569**, on same subject, was substituted for House Bill No. 1574.

Rep. Pinion moved that **Senate Bill No. 1569** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	0
Present and not voting. . . . .	8

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Bittle, Byrd, Givens, Johnson, Nuber, Rigsby, Walley, Williams (Union) -- 8.

A motion to reconsider was tabled.

**House Bill No. 1575 -- Obion County -- Enacts hotel/motel tax.**

Rep. Pinion moved that House Bill No. 1575 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	88
Noes. . . . .	0
Present and not voting. . . . .	10

Representatives voting aye were: Allen, Anderson, Armstrong,

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Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 88.

Representatives present and not voting were: Byrd, Givens, Gunnels, Johnson, Nuber, Rigsby, Rinks, Sipes, Walley, Williams (Union) -- 10.

A motion to reconsider was tabled.

**House Bill No. 1564** -- Smithville -- Provides for popular election of judge of city court. Amends Chapter 486, Private Acts of 1941, as amended.

Rep. Buck moved that House Bill No. 1564 be passed on third and final consideration.

Rep. Buck moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Buck moved to amend as follows:

**Amendment No. 2**

Amend House Bill No. 1564 by deleting the words and punctuation "a licensed, practicing attorney in good standing before the courts of Tennessee" in item (8) of the amendatory language of Section 2, and by substituting instead the words "licensed to practice law and in good standing in all of the courts in Tennessee".

On motion, Amendment No. 2 was adopted.

Rep. Buck moved that Amendment No. 3 be withdrawn, which motion prevailed.

Thereupon, Rep. Buck moved that **House Bill No. 1564**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**House Bill No. 1487 -- Sexual Offenses -- Enacts "Rape Victims' Rights Act".**

Rep. Chumney moved that House Bill No. 1487 be reset one week to the Calendar for Monday, April 29, 1991, which motion prevailed.

**MESSAGE CALENDAR**

**HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 0623 -- Fire Prevention and Investigation --** Reduces liability of insurance agency for information supplied to fire officials in cases of suspected arson. Similar to \*SB 397/HB 614. Amends TCA 68-17-115.

**Senate Amendment No. 2**

Tennessee Code Annotated, Section 68-17-115(c) is amended by deleting the language "or negligence" and adding the following sentence: "However, this section applies only to oral and written statements, provided under (b), to the state fire marshal and any other authorized agency."

Rep. Buck moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 623**, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross,

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Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Wednesday, April 24, 1991:

**Senate Bill No. 100:** Rep. Bragg.

**Senate Bill No. 268:** Rep. Collier.

**House Bill No. 616:** Rep. Buck.

**House Bill No. 1333:** Rep. Rhinehart.

**Senate Bill No. 1521:** Rep. Cross.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, May 2, 1991:

**Senate Bill No. 128:** Rep. Purcell.

**RULES SUSPENDED**

Rep. Buck moved that the rules be suspended for the immediate introduction of House Joint Resolution No. 276, which motion prevailed.

**\*House Joint Resolution No. 0276 -- Highway Signs -- Veterans Memorial Bridge, S.R. 25, Smith County.** by \*Buck.

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Rep. Buck moved that the rules be suspended to refer House Joint Resolution No. 276 to the Transportation Committee, which motion prevailed.

**RULES SUSPENDED**

Rep. Hillis moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 1563 can be heard by the Conservation and Environment Committee on Wednesday, April 24, 1991, which motion prevailed.

**RULES SUSPENDED**

Rep. Hillis moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Joint Resolution No. 256 can be heard by the State and Local Government Committee on Tuesday, April 23, 1991, which motion prevailed.

**RULES SUSPENDED**

Rep. Windle moved that the rules be suspended for the purpose of introducing House Resolution No. 68 out of order, which motion prevailed.

**House Resolution No. 0068 --** Memorials, Sports -- Pall Mall Junior High School girls' basketball team. by \*Windle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Windle, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Coffey moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 207 out of order, which motion prevailed.

**Senate Joint Resolution No. 0207 --** Naming and Designating -- National Organ and Tissue Donor Awareness Week, April 22-28. by \*McNally.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Coffey, the resolution was concurred in.

A motion to reconsider was tabled.

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**RULES SUSPENDED**

Rep. Hillis moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 190 out of order, which motion prevailed.

**Senate Joint Resolution No. 0190** -- Memorials, Sports -- Warren County High School Pioneerettes, 1991 National Dance Team title. by \*Cooper.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Hillis, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Robinson (Davidson) moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Joint Resolution No. 276 can be heard by the Transportation Committee on Tuesday, April 23, 1991, which motion prevailed.

**RULES SUSPENDED**

Rep. Robinson (Davidson) moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that Senate Joint Resolution No. 162 can be heard by the Transportation Committee on Tuesday, April 23, 1991, which motion prevailed.

**MOTION**

Rep. DeBerry moved that all Study Resolutions which have not failed in the standing committee be recalled from the appropriate standing committee and referred to Calendar and Rules Committee, which motion prevailed. She further moved that all such resolutions (and those currently in Calendar and Rules) be placed on the Study Resolution subcommittee Calendar for Tuesday, April 23, 1991, which motion prevailed. Resolutions recalled are: from Conservation and Environment Committee: HR 1; from Health and Human Resources Committee: HR 36, HJR 112 and SJR 56; from State and Local Government Committee: HR 11 and HJRs 33, 34, 59, 106, 126 and 269.

**RULES SUSPENDED**

Rep. Phillips moved to suspend **Rule No. 49** (the 48-hour rule), so that Calendar and Rules may place additional bills on Wednesday's and Thursday's floor calendar, which motion prevailed.

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**RULES SUSPENDED**

Rep. Phillips moved to suspend **Rule No. 71** (amendment distribution rule) so that all amendments for Wednesday's and Thursday's Calendars, placed on the member's desks will be considered timely placed.

**RULES SUSPENDED**

Rep. Phillips moved that the rules be suspended for the immediate introduction of House Joint Resolution No. 280, which motion prevailed.

**House Joint Resolution No. 0280 -- Highway Signs -- Bedford Veterans Memorial Bridge, South Cannon Boulevard in Shelbyville.**  
by \*Phillips.

Rep. Phillips moved that the rules be suspended to refer House Joint Resolution No. 280 to the Transportation Committee, which motion prevailed.

Rep. Phillips moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Joint Resolution No. 280 can be heard by the Transportation Committee on Tuesday, April 23, 1991, which motion prevailed.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 469:** Rep(s). Williams (Union) as prime sponsor(s).

**House Bill No. 803:** Rep(s). Davis (Knox) as prime sponsor(s).

**House Bill No. 935:** Rep(s). Johnson as prime sponsor(s).

**House Bill No. 1434:** Rep(s). Bell as prime sponsor(s).

**INTRODUCTION OF RESOLUTIONS**

On motion, the resolution(s) listed was/were introduced and referred as noted:

**\*House Resolution No. 0065 -- General Assembly, Statement of Intent or Position -- Urges THDA to continue leadership in current composition.** by \*King.

Referred by the Speaker to the State and Local Government Committee.

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**House Resolution No. 0066** -- Memorials, Sports -- Tommy Ramsey, Grundy County High School, basketball accomplishments. by \*Curlee.

Referred by the Speaker to the Calendar and Rules Committee.

**House Resolution No. 0067** -- Memorials, Professional and Business Achievement -- Margaret Holmes, TEA Distinguished Classroom Teacher Award. by \*Coffey.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0273** -- Memorials, Recognition and Thanks -- CLUE, 20th Anniversary. by \*Turner L.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0274** -- Memorials, Congress -- Urges enactment of POW/MIA Truth Bill; appointment of select committee; and continuance of funding for POW/MIA investigation. by \*Hillis.

Referred by the Speaker to the State and Local Government Committee.

**House Joint Resolution No. 0275** -- Memorials, Professional and Business Achievement -- Michael Smith, 1991 Professional Teacher Excellence Award. by \*Halteman.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0277** -- Memorials, Sports -- Northside High School girls' basketball team. by \*Sipes, \*McDaniel.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0278** -- Memorials, Recognition and Thanks -- The Williams Family, The Paris Post Intellegencer. by \*Ridgeway.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0279** -- General Assembly, Studies -- Continues SJR 440 to study desirability and feasibility of establishing statewide program of general public assistance. by \*Dixon.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0281** -- Memorials, Interns -- Cassandra Tyiese Ferguson. by \*Kent, \*Haley.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0282** -- Memorials, Interns -- Theresa L. Morgan. by \*Turner B, \*Curlee, \*DeBerry, \*Moore.

Referred by the Speaker to the Calendar and Rules Committee.



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**House Joint Resolution No. 0283** -- Memorials, Interns -- James Lee Collier. by \*Robinson Robb, \*Napier, \*Collier.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0284** -- Memorials, Interns -- Martin Wesley Stephens. by \*Jones R, \*Love, \*Holt.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0285** -- Memorials, Interns -- Angela Denise Green. by \*Jones R, \*Love, \*Holt.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0286** -- Memorials, Interns -- Michelle Lynette Carver. by \*Jones R, \*Love, \*Holt.

Referred by the Speaker to the Calendar and Rules Committee.

**House Joint Resolution No. 0287** -- Memorials, Interns -- Ronald "Scott" Morrow. by \*Jones R, \*Love, \*Holt.

Referred by the Speaker to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

On motion, the resolutions listed were referred as noted:

**Senate Joint Resolution No. 0187** -- Memorials, Sports -- Martin Luther King School boys' basketball team, TSSAA state champions.

Referred by the Speaker to the Calendar and Rules Committee.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 1557** -- Hospitals and Health Care Facilities -- Makes pilot program applicable to Putnam County. Amends TCA 12-4-320. by \*Hargrove.

Passed first consideration.

**House Bill No. 1586** -- Telecommunications -- Expands authority of McMinnville relative to telecommunication systems. Amends TCA 6-2-201; Title 9, Ch. 21. by \*Rhinehart, \*Hillis.

Passed first consideration.

**\*House Bill No. 1587** -- Gas, Petroleum Products, Volatile Oils

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-- Revises oil and gas well spacing in Clay County. Amends TCA 60-1-106. by \*Winningham.

Passed first consideration.

**House Bill No. 1589** -- Lexington -- Changes term of mayor and aldermen. Amends Chapter 402, Acts of 1901, as amended. by \*McDaniel, \*Sipes.

Passed first consideration.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

**\*Senate Bill No. 1332** -- State Employees -- Requires vacancies in career service be accessible to all current career employees. Amends TCA 8-30-309. (HB 1406).

Held pending third consideration of companion House Bill.

**Senate Bill No. 1552** -- Coon Dog Laws -- Permits training of coon dogs year round in Obion County. Amends TCA 70-4-122. (\*HB 1563).

Held pending third consideration of companion House Bill.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

**House Bill No. 1588** -- Polk County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

**April 22, 1991**

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1571, 1580, 1584 and 1588.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

**April 22, 1991**

**MR. SPEAKER:** The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s)

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on the **Consent Calendar** for **Wednesday, April 24, 1991**: House Resolution(s) No(s). 66 and 67; House Joint Resolution(s) No(s). 273, 275, 277, 278, 282, 283, 284, 285, 286 and 287; House Bill(s) No(s). 1571, 1580, 1584 and 1588; also, Senate Joint Resolution(s) No(s). 187.

PHILLIPS, Chair.

**SIGNED**  
**April 22, 1991**

The Speaker announced that he had signed the following: House Bill(s) No(s). 663, 1555, 1560 and 1572; House Joint Resolution(s) No(s). 228, 229, 230, 233, 235 and 258; also, House Resolution(s) No(s). 55 and 56.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**  
**April 22, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 461 and 1175; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**  
**April 22, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 902, 1373, 1483 and 1582; also, House Joint Resolution(s) No(s). 47, 103 and 185; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**April 22, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 212, 214 and 215; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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**Senate Joint Resolution No. 0212** -- Memorials, Public Service -- Soddy-Daisy High School, Renaissance Education Foundation. by \*Crutchfield.

**Senate Joint Resolution No. 0214** -- Memorials, Professional and Business Achievement -- Ball Zinc Products, Governor's Award for Excellence. by \*Greer.

**Senate Joint Resolution No. 0215** -- Memorials, Interns -- Tom Hansom. by \*Cohen.

**ENGROSSED BILLS**

**April 22, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 181, 1372, 1564, 1575 and 1583; also, House Joint Resolution(s) No(s). 85; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 22, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 156, 855, 937, 1151 and 1240; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 22, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 118, 241, 244, 250 and 251; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 22, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1239; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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MESSAGE FROM THE SENATE  
April 22, 1991

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1340; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE  
April 22, 1991

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 27, 717 and 1282; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, April 24, 1991.